

4. I am familiar with the allegations made against the City in this lawsuit. Relator's allegations that the City of Saint Paul is not complying with federal statutes or regulations governing HUD assistance is wrong. The City is in compliance.

5. Below, I have provided to the Court a thumbnail sketch of the City's HUD programs, all of which have income eligibility requirements. As described below, the City fulfills its obligations to receive the various grant funds.

6. HUD has a number of financial assistance programs, many of which the City has received funds or participated in at one time or continues to do so. The programs include: Community Development Block Grants ("CDBG"), HOME, and Emergency Shelter Grants ("ESG"). The City prepares and submits to HUD for review, detailed five-year planning and implementation documents specifying the activities proposed to be undertaken by the City with HUD funding over certain designated five-year periods (Consolidated Five-Year Plans). In addition to the City's Consolidated Five-Year Plans, the City also prepares and submits to HUD for review, further detailed one-year planning and implementation documents specifying the activities proposed to be undertaken by the City with HUD funding throughout the designated program year (Consolidated Action Plans).


7. Together, the city's Consolidated Five-Year Plans and Consolidated Action Plans (Consolidated Plans), when submitted, serve as applications for HUD grants. Among the certifications made by the City in these applications is a provision where the City certifies it will affirmatively further fair housing. The certification states in relevant part:

In accordance with the applicable statutes and the regulations governing the Consolidated plan regulations, the jurisdiction certifies that:

AFFIRMATIVELY FURTHER FAIR HOUSING--The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

8. In keeping with the HUD requirements and the Consolidated Plan regulations, the City submits for HUD review a Consolidated Annual Performance Evaluation Report (CAPER) within 90 days after the close of each program year. These CAPER submissions report to HUD the progress the City has made in carrying out its activities identified in its consolidated plans throughout the program year. HUD imposes separate goals, policies, and criteria for each program. CDBG and HOME, are “bricks and mortar” programs originating from different funding authorities or designed for different types of projects. But, they both are targeted to benefit low-income persons by increasing or improving housing, business, or employment conditions or some combination thereof. For each program listed above, the City has complied with all applicable federal and state laws.

FURTHER YOUR AFFIANT SAYETH NOT.


RONALD C. ROSS

Subscribed and sworn to before me
on November 9, 2012.





Notary Public

My commission expires on January 31, 2014